

Brent T. Robinson, Esq.  
LING, NIELSEN & ROBINSON  
Attorneys at Law  
P.O. Box 396  
Rupert, Idaho 83350  
Telephone No. (208) 436-4717  
Facsimile No. (208) 436-6804  
Idaho State Bar No. 1932

Attorneys for Debtors

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

In Re: ) Case No. 99-41532  
LEO "BRUCE" ROBBINS and ) (Chapter 12)  
HEIDI ROBBINS, )  
Debtors. ) MOTION FOR USE OF  
CASH COLLATERAL

COME NOW the debtors by and through their attorney, Brent T. Robinson of the firm Ling, Nielsen & Robinson, and move the Court for an order authorizing debtors in possession to use cash collateral pursuant to 11 U.S.C. § 363. This motion is made and based upon the following:

1. Debtors filed their petition under Chapter 12 of Title 11 of the U. S. Bankruptcy Code on the 13th day of September, 1999. Since that date, debtors have continued in possession of their property and the operation of their business as debtors in possession.

2. Debtors have ninety-five (95) head of livestock that are ready to be sold, which will generate approximately

1 \$34,000. Key Bank has a lien against the livestock and the  
2 proceeds thereof to secure payment of a promissory note which has  
3 a balance owed in excess of the amount of cash collateral sought  
4 to be used by the debtors.

5 3. Debtors desire to use the proceeds from the sale  
6 of livestock to pay operating expenses for December 1999 through  
7 June 2000.

8 4. In accordance with the requirements of 11 U.S.C.  
9 § 363(c)(4), any proceeds authorized to be used by the debtors  
10 will be segregated into a separate bank account.

11 5. Debtors do not have sufficient income to continue  
12 operating without the use of the proceeds from the sale of  
13 livestock, and are in need of the proceeds to operate during the  
14 months of December 1999 through June 2000. If debtors are not  
15 permitted to use the livestock proceeds, debtors will have to  
16 cease operations. Should that occur, then it is not feasible  
17 that there will be any income available to fund the plan to be  
18 proposed hereafter.

19 6. Debtors need for operating funds and the basis for  
20 requesting the use of cash collateral is to pay the following  
21 expenses:

22	Living Expenses	\$ 7,500.00
	Baby Calf Expenses	1,750.00
	Auto/Truck Expenses (gas/oil)	3,250.00
23	Wages	2,100.00
	Farm Liability Insurance	3,800.00
24	Land Rent	3,500.00
	Repairs and Maintenance	350.00
	Supplies	700.00
25	Electricity	2,000.00
	Water	4,700.00
26	Veterinary Expenses	<u>3,500.00</u>
27	Total	\$ 33,150.00

28 Motion for Use of Cash Collateral - 2

1           7. Debtors are willing to give adequate protection to  
2 Key Bank by granting Key Bank a security interest in all remain-  
3 ing livestock which is approximately 400 head, of which over 300  
4 head were acquired post-petition. Said livestock has a value in  
5 excess of \$50,000, and it is anticipated the value of the live-  
6 stock will continue to increase. Debtors shall grant Key Bank  
7 a replacement lien for the cash collateral authorized to be used  
8 by the debtors.

9           8. If the Court deems the adequate protection proposed  
10 by the debtors is not sufficient, then debtors request that a  
11 determination be made as to the amount to be paid as adequate  
12 protection.

13           WHEREFORE, debtors pray for entry of an order granting  
14 debtors the right to use cash collateral, namely, proceeds from  
15 the sale of livestock, to pay the foregoing operating expenses,  
16 and that they be entitled to do so until further order of this  
17 Court. Debtors further request that Key Bank and any other  
18 parties named on checks received from the sale of livestock be  
19 required to endorse any checks received by the debtors' to the  
20 extent of the cash collateral authorized to be used by the  
21 debtors.

22           DATED This 4th day of December, 1999.

23           LING, NIELSEN & ROBINSON

24           By Brent T. Robinson  
25           Brent T. Robinson  
26           Attorneys for Debtors  
27  
28